

## **REMARKS**

Reconsideration of the present application is respectfully requested.

Claims 1-7 are pending in the application, of which Claims 1, 3-4 and 7 are written in independent form.

The Examiner rejected Claim 2 under 35 U.S.C. 112, first paragraph, for an alleged lack of enablement. The Examiner rejected Claims 1-7 under 35 U.S.C. 112, second paragraph, for indefiniteness. The Examiner rejected Claims 3-6 under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter.

Please amend Claims 1-7, as shown herein. No new matter has been added.

As to the rejection of Claim 2 under 35 U.S.C. 112, first paragraph, the Examiner alleged that as to the recitation “contribution degree calculation unit”, there are no steps in the claim to show how a person or machine would perform the calculation, and that there is no structure recited and that the disclosure is non-enabling. Applicant respectfully traverses.

It is respectfully asserted that the “contribution degree calculation unit” is a means for calculating contribution degree of athletes by photographing all the game situations of athletes in a playground, inputting game factors, and applying the situations and weights. In Claim 2, it is recited that the contribution degree calculation unit is comprised in the server, and calculates the degree of athletes’ contribution based on a difference between addition factors including contribution factors for offense and defense addition to which weights are applied, and subtraction factors including error factors for offense and defense subtraction to which weights are applied.

Accordingly, contrary to the rejection, it is respectfully asserted that the recitation at issue clearly presents an apparatus, i.e., a system comprising a management server, which management

server includes a contribution degree calculation unit. Furthermore, contrary to the rejection, Claim 2 is indeed clear as to how the calculation unit would operate, i.e., by calculating the degree of calculation based on a difference between the recited addition and subtraction factors. For at least these reasons, it is respectfully submitted that Claim 2 complies with the enablement requirement, and thus withdrawal of the 112, first paragraph rejection of Claim 2 is respectfully requested.

As to the rejection of Claims 1-7 under 35 U.S.C. 112, second paragraph, the Examiner alleged that the claims are replete with indefinite language.

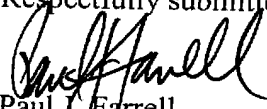
In response, Applicant has amended the claims to overcome the alleged indefiniteness in the claims. For instance, Applicant has amended each of the recitations in parentheses, deleted each of the instances of “etc.” and “such as”, and has amended or deleted each of the recitations including numbers. Moreover, the recitations including “baseball” have been deleted, and several recitations have been deleted for conciseness in the claims.

In view of at least the foregoing, it is respectfully submitted that the 112, second paragraph rejection has been overcome, and withdrawal thereof is respectfully requested.

Independent Claims 1, 3-4 and 7 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2 and 5-6, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2 and 5-6 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-7, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant

THE FARRELL LAW FIRM, LLP  
290 Broadhollow Road, Suite 210E  
Melville, New York 11747  
Tel: (516) 228-3565  
Fax: (516) 228-8475  
PJF/RCC/df